

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION
THIS DOCUMENT RELATES TO ALL ACTIONS

MDL. No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**PLAINTIFFS' MOTION FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF  
PLAINTIFFS' MOTION TO COMPEL AND FOR ASSESSMENT OF  
DISCOVERY-RELATED COSTS AGAINST DEFENDANT ABBOTT LABORATORIES**

Plaintiffs, by their attorneys, respectfully move this Court for leave to file a short reply brief in support of Plaintiffs' Motion to Compel and For Assessment of Discovery-Related Costs Against Defendant Abbott Laboratories ("Motion to Compel") [Docket No. 2632].

1. Local Rule 7.1(b)(2) requires that additional papers "whether in the form of a reply or otherwise, may be submitted only with leave of Court."
2. In its opposition to plaintiffs' Motion to Compel, Abbott raises legal and factual arguments that merit the filing of a reply brief.
3. Neither this Court nor any party will be prejudiced by the filing of this reply brief. Plaintiffs anticipate that their reply will be short and request only until August 7, 2006 to file it.
4. Counsel for plaintiffs conferred with counsel for Abbott before the filing of this motion. Abbott opposes the relief requested herein.

WHEREFORE plaintiffs respectfully request that this Court grant them leave to file a reply brief in support of their Motion to Compel, and all other relief that this Court deems just and proper.

Dated: July 17, 2006

By: s/Jennifer Fountain Connolly  
One of Plaintiffs' Counsel

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**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on July 17, 2006, I caused copies of **Plaintiffs' Motion for Leave to File Reply Brief in Support of Plaintiffs' Motion to Compel and For Assessment of Discovery-Related Costs Against Defendant Abbott Laboratories** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

s/ Jennifer Fountain Connolly  
Jennifer Fountain Connolly